

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (currently amended) A method of auctioning data services in a network environment including an exchange system including a supplier list having at least one supplier and a buyer list having at least one buyer, the method comprising:

receiving in the exchange system[[:]] a service request from a buyer for data services[[:]] and incentive data from a supplier to supply the data services, the incentive data including a decrement amount allowing the incentive data to change according to predetermined rules;

determining a selected supplier from the supplier list based on the incentive data;  
creating routing data for the data services to be routed through the selected supplier; and

routing the data services through the selected supplier using the routing data;  
whereby data services are provided in an incentive-driven environment, allowing flexibility in supplier relationships for the buyer and providing improved utilization and yield management opportunities for the selected supplier.

2. (original) A method according to claim 1 wherein data services includes at least one of data transportation services and data application services.

3. (original) A method according to claim 1 wherein the exchange system includes a moderator system.

4. (original) A method according to claim 3 wherein the moderator system includes a moderator computing system.

5. (original) A method according to claim 4 wherein the exchange system includes switches.

6. (original) A method according to claim 1 wherein the exchange system includes a routing system to provide data transportation services for the buyer through the selected supplier.

7. (original) A method according to claim 6 wherein the routing system is configured automatically by the exchange system.

8. (original) A method according to claim 1 wherein creating includes automatically generating routing data.

9. (original) A method according to claim 1 wherein the service request specifies a ceiling price for the data transportation services.

10. (original) A method according to claim 9 wherein the buyer specifies whether the ceiling price is made available to the supplier.

11. (canceled)

12. (original) A method according to claim 1 wherein the routing data includes first and second endpoints.

13. (original) A method according to claim 12 wherein the first and second endpoints include first and second ports respectively.

14. (original) A method according to claim 1 wherein the routing data includes a trunk line specification.

15. (original) A method according to claim 1 wherein the service request includes a specified closing time for the receipt of incentive data from the supplier.

16. (original) A method according to claim 1 further comprising setting by the exchange system a closing time for receiving the incentive data.

17. (original) A method according to claim 1 wherein determining includes determining by the buyer the selected supplier based on the incentive data.

18. (original) A method according to claim 1 wherein determining includes determining by a moderating system in the exchange system the selected supplier.

19. (original) A method according to claim 1 wherein incentive data includes at least one of economic incentive data, supplier information, and duration of the data transportation services.

20. (original) A method according to claim 19 wherein the incentive data includes a time period for which the incentive data is valid.

21. (original) A method according to claim 20 wherein the supplier information can be conditionally provided to the buyer.

22. (original) A method according to claim 1 further comprising providing information regarding the selected supplier to the supplier list.

23. (original) A method according to claim 1 further comprising providing all or a subset of the incentive data to all or a subset of the supplier list or buyer list.

24. (currently amended) A method according to claim 1 further comprising providing a view of all or a subset of the service requests and incentive data for closed transactions to all or a subset of the supplier list or buyer list.

25. (currently amended) A method according to claim ~~[[1]]~~ 24 wherein~~[[:]]~~ providing a view includes providing a view of all or a subset of the open service requests and open incentive data to all or a subset of the supplier list or buyer list.

26. (original) A method according to claim 25 wherein open service requests and open incentive data includes partially unfulfilled service requests and incentive data.

27. (currently amended) A method according to claim 1 further comprising~~[[:]]~~ committing the service request after a specified amount of time beyond which the buyer cannot revoke the service request thereby giving the seller a guaranteed sale to compete for.

28. (original) A method according to claim 1 further comprising receiving resell information as derivative routing data.

29. (original) A method according to claim 1 wherein data services includes analog and digital information.

30. (currently amended) A method according to claim 1 further comprising~~[[:]]~~ defining a member profile by the buyer or supplier in the exchange system by entering parameters that allow the buyer or supplier to define selection criteria; and wherein determining a selected supplier includes determining a selected supplier from the supplier list based on the incentive data and by applying the buyer's selection criteria against the supplier list and each supplier's selection criteria against the buyer.

31. (original) A method according to claim 30 wherein defining a member profile includes entering parameters that allow the buyer or supplier to define selection criteria that includes at least one of supplier identifications, credit limits, and type of transmission line.

32. (currently amended) A method according to claim 30 further comprising[[:]] providing a limited view of the buyer list or seller list based on the member profile.

33. (original) A method according to claim 30 wherein defining a member profile includes limiting the supplier list through which the selected supplier is determined.

34. (currently amended) A method according to claim 33 further comprising[[:]] blocking redefining the member profile to include buyers or sellers limited by the member profile for a protection interval in order to prevent use of the member profile to uncover identities of other companies.

35. (currently amended) A method according to claim 1 further comprising[[:]] querying the exchange system by the at least one supplier or the at least one buyer to search for specific service request parameters or incentive data parameters; whereby the at least one buyer and the at least one supplier can facilitate the submission of service requests and incentive data.

36. (original) A method according to claim 1 wherein the exchange system includes a billing system.

37. (currently amended) A method according to claim 1 further comprising[[:]] notifying the buyer list or supplier list of a new buyer or supplier.

38. (currently amended) A method according to claim 1 further comprising[[:]] tracking bandwidth utilization for the supplier to ensure that the supplier does not provide incentive data for data services beyond the suppliers available bandwidth.

39. (currently amended) A method of auctioning data services in a network environment including an exchange system including a supplier list having at least one supplier and a buyer list having at least one buyer, the method comprising:

receiving in the exchange system[[:]] a service request from a buyer for data services[[:]] and incentive data from a supplier to supply the data services;

determining a selected supplier from the supplier list based on the incentive data;

creating routing data for the data services to be routed through the selected supplier, wherein the routing data specifies first and second ports or specifies a trunk line; and

routing the data services through an automated routing system and the selected supplier using the routing data; whereby data services are provided in an incentive-driven environment, allowing flexibility in supplier relationships for the buyer and providing improved utilization and yield management opportunities for the selected supplier.

40. (original) A method according to claim 39 wherein data services includes at least one of data transportation services and data application services.

41. (original) A method according to claim 39 wherein the exchange system includes a moderator system.

42. (original) A method according to claim 41 wherein the moderator system includes a moderator computing system.

43. (original) A method according to claim 42 wherein the exchange system includes switches.

44. (original) A method according to claim 39 wherein creating includes automatically generating routing data.

45. (original) A method according to claim 39 wherein the service request specifies a ceiling price for the data transportation services.

46. (original) A method according to claim 45 wherein the buyer specifies whether the ceiling price is made available to the supplier.

47. (original) A method according to claim 39 wherein the incentive data includes a decrement amount allowing the incentive data to change according to predetermined rules.

48. (original) A method according to claim 39 wherein the routing data includes first and second endpoints.

49.-51. (canceled)

52. (original) A method according to claim 39 further comprising setting by the exchange system a closing time for receiving the incentive data.

53. (original) A method according to claim 39 wherein determining includes determining by the buyer the selected supplier based on the incentive data.

54. (original) A method according to claim 39 wherein determining includes determining by a moderating system in the exchange system the selected supplier.

55. (original) A method according to claim 39 wherein incentive data includes at least one of economic incentive data, supplier information, and duration of the data transportation services.

56. (original) A method according to claim 55 wherein the incentive data includes a time period for which the incentive data is valid.

57. (original) A method according to claim 56 wherein the supplier information can be conditionally provided to the buyer.

58. (original) A method according to claim 39 further comprising providing information regarding the selected supplier to the supplier list.

59. (original) A method according to claim 39 further comprising providing all or a subset of the incentive data to all or a subset of the supplier list or buyer list.

60. (currently amended) A method according to claim 39 further comprising providing a view of all or a subset of the service requests and incentive data for closed transactions to all or a subset of the supplier list or buyer list.

61. (currently amended) A method according to claim 60 wherein providing a view includes providing a view of all or a subset of the open service requests and open incentive data to all or a subset of the supplier list or buyer list.

62. (original) A method according to claim 61 wherein open service requests and open incentive data includes partially unfulfilled service requests and incentive data.

63. (currently amended) A method according to claim 39 further comprising committing the service request after a specified amount of time beyond which the buyer cannot revoke the service request thereby giving the seller a guaranteed sale to compete for.

64. (original) A method according to claim 39 further comprising receiving resell information as derivative routing data.

65. (original) A method according to claim 39 wherein data services includes analog and digital information.

66. (currently amended) A method according to claim 39 further comprising defining a member profile by the buyer or supplier in the exchange system by entering parameters that allow the buyer or supplier to define selection criteria, and wherein determining a selected supplier includes determining a selected supplier from the supplier list based on the incentive data and by applying the buyer's selection criteria against the supplier list and each supplier's selection criteria against the buyer.



67. (original) A method according to claim 66 wherein defining a member profile includes entering parameters that allow the buyer or supplier to define selection criteria that includes at least one of supplier identifications, credit limits, and type of transmission line.

68. (currently amended) A method according to claim 66 further comprising[[:]] providing a limited view of the buyer list or seller list based on the member profile.

69. (original) A method according to claim 66 wherein defining a member profile includes limiting the supplier list through which the selected supplier is determined.

70. (currently amended) A method according to claim 69 further comprising[[:]] blocking redefining the member profile to include buyers or sellers limited by the member profile for a protection interval in order to prevent use of the member profile to uncover identities of other companies.

71. (currently amended) A method according to claim 39 further comprising[[:]] querying the exchange system by the at least one supplier or the at least one buyer to search for specific service request parameters or incentive data parameters[[:]], whereby the at least one buyer and the at least one supplier can facilitate the submission of service requests and incentive data.

72. (original) A method according to claim 39 wherein the exchange system includes a billing system.

73. (currently amended) A method according to claim 39 further comprising[[:]] notifying the buyer list or supplier list of a new buyer or supplier.

74. (currently amended) A method according to claim 39 further comprising tracking bandwidth utilization for the supplier to ensure that the supplier does not provide incentive data for data services beyond the suppliers available bandwidth.

75. (currently amended) A method of auctioning data services in a network environment including an exchange system including a supplier list having at least one supplier and a buyer list having at least one buyer, the method comprising:

receiving in the exchange system a service request from a buyer for data services and incentive data from a supplier to supply the data services, the service request including a specified closing time for receipt of incentive data from the supplier;

~~setting a close time for receipt of the incentive data;~~

after ~~setting a~~ the close time, determining a selected supplier from the supplier list based on the incentive data;

creating routing data for the data services to be routed through the selected supplier; and

routing the data services through an automated routing system and the selected supplier using the routing data;

whereby data services are provided in an incentive-driven environment, allowing flexibility in supplier relationships for the buyer and providing improved utilization and yield management opportunities for the selected supplier.

76. (original) A method according to claim 75 wherein data services includes at least one of data transportation services and data application services.

77. (original) A method according to claim 75 wherein the exchange system includes a moderator system.

78. (original) A method according to claim 77 wherein the moderator system includes a moderator computing system.

79. (original) A method according to claim 75 wherein the exchange system includes switches.

80. (original) A method according to claim 75 wherein creating includes automatically generating routing data.

81. (original) A method according to claim 75 wherein the service request specifies a ceiling price for the data transportation services.

82. (original) A method according to claim 81 wherein the buyer specifies whether the ceiling price is made available to the supplier.

83. (original) A method according to claim 75 wherein the incentive data includes a decrement amount allowing the incentive data to change according to predetermined rules.

84. (original) A method according to claim 75 wherein the routing data includes first and second endpoints.

85. (original) A method according to claim 84 wherein the first and second endpoints include first and second ports respectively.

86. (original) A method according to claim 75 wherein the routing data includes a trunk line specification.

87. (original) A method according to claim 75 wherein determining includes determining by the buyer the selected supplier based on the incentive data.

88. (original) A method according to claim 75 wherein determining includes determining by a moderating system in the exchange system the selected supplier.

89. (original) A method according to claim 75 wherein incentive data includes at least one of economic incentive data, supplier information, and duration of the data transportation services.

90. (original) A method according to claim 89 wherein the incentive data includes a time period for which the incentive data is valid.

91. (original) A method according to claim 90 wherein the supplier information can be conditionally provided to the buyer.

92. (original) A method according to claim 75 further comprising providing information regarding the selected supplier to the supplier list.

93. (original) A method according to claim 75 further comprising providing all or a subset of the incentive data to all or a subset of the supplier list or buyer list.

94. (currently amended) A method according to claim 75 further comprising providing a view of all or a subset of the service requests and incentive data for closed transactions to all or a subset of the supplier list or buyer list.

95. (currently amended) A method according to claim 94 wherein providing a view includes providing a view of all or a subset of the open service requests and open incentive data to all or a subset of the supplier list or buyer list.

96. (original) A method according to claim 95 wherein open service requests and open incentive data includes partially unfulfilled service requests and incentive data.

97. (currently amended) A method according to claim 75 further comprising committing the service request after a specified amount of time beyond which the buyer cannot revoke the service request.

98. (original) A method according to claim 75 further comprising receiving resell information as derivative routing data.

99. (original) A method according to claim 75 wherein data includes analog and digital information.

100. (currently amended) A method according to claim 75 further comprising defining a member profile by the buyer or supplier in the exchange system by entering parameters that allow the buyer or supplier to define selection criteria; and wherein determining a selected supplier includes determining a selected supplier from the supplier list based on the incentive data and by applying the selection criteria against the supplier list.

101. (original) A method according to claim 100 wherein defining a member profile includes entering parameters that allow the buyer or supplier to define selection criteria that includes at least one of supplier identifications, dollar amounts, credit limits, and type of transmission line.

102. (currently amended) A method according to claim 100 further comprising providing a limited view of the buyer list or seller list based on the member profile.

103. (original) A method according to claim 100 wherein defining a member profile includes limiting the supplier list through which the selected supplier is determined.

104. (currently amended) A method according to claim 103 further comprising blocking redefining the member profile to include buyers or sellers limited by the member profile for a protection interval.

105. (currently amended) A method according to claim 75 further comprising querying the exchange system by the at least one supplier or the at least one buyer to search for specific service request parameters or incentive data parameters; whereby the

at least one buyer and the at least one supplier can facilitate the submission of service requests and incentive data.

106. (original) A method according to claim 75 wherein the exchange system includes a billing system.

107. (currently amended) A method according to claim 75 further comprising[[:]] notifying the buyer list or supplier list of a new buyer or supplier.

108. (currently amended) A method according to claim 75 further comprising[[:]] tracking bandwidth utilization for the supplier to ensure that the supplier does not provide incentive data for data services beyond the suppliers allocated bandwidth.